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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,747	01/10/2005	Masahiko Koike	084437-0174	3250
22428	7590	08/26/2009	EXAMINER	
FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007		ART UNIT		PAPER NUMBER

DATE MAILED: 08/26/2009

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10520747	1/10/2005	KOIKE ET AL.	084437-0174

EXAMINER

Jeffrey T.. Palenik

ART UNIT	PAPER
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1615 20090824

DATE MAILED:

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Commissioner for Patents

Receipt is acknowledged of a Request for Continued Examination (RCE) under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on 9 June 2009. The submission, however, is not fully responsive to the prior Office action because Applicants have improperly amended their claims, particularly claim 4. The claims submitted for prosecution on 20 August 2008, were amended properly wherein claims 2 and 3 were cancelled and claim 4 was amended such that it depended from independent claim 1 rather than cancelled claim 3. The amended set of claims submitted at the time of RCE, do not contain said amendment to claim 4. As such there is no indication of the previous amendment and claims 4-6, as presently amended, are improperly dependent from a cancelled claim (see MPEP §714 (II)(c.)).

Since the submission appears to be a bona fide attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period for reply supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

/Jeffrey T. Palenik/
Examiner, Art Unit 1615

/MP WOODWARD/
Supervisory Patent Examiner, Art Unit 1615